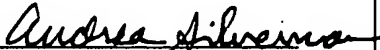


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV930030725US, on the date shown below in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 15, 2007

Signature:

  
(Andrea Silverman)Docket No.: CSHL-P01-011  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Patent Application of:  
Hannon et al.

Confirmation No.: 1038

Application No.: 10/524,690

Art Unit: 1635

Filed: February 15, 2005

Examiner: Not Yet Assigned

For: CELL-BASED RNA INTERFERENCE AND  
RELATED METHODS AND COMPOSITIONS

May 15, 2007

**COMMUNICATION IN RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Communication is filed in response to the April 26, 2007 Notification of Defective Response ("Notification"), a copy of which is attached as Exhibit A, in connection with the subject application. The Notification provides a period of one month for filing a response. Therefore, a response is due May 26, 2007. Accordingly, this Communication is being timely filed.

First, the undersigned would like to thank Mr. Winston Alvarado and Examiner Stephen Staicovici of the Patent Office for discussing the Notification during telephone conferences on May 2 and May 3, 2007. Examiner Staicovici advised the undersigned that in order for the declaration and power of attorney as filed on September 1, 2006 to be entered, applicants must comply with 37 CFR § 1.497(d) because the inventive entity set forth on the oath or declaration (naming Stephen Elledge as a co-inventor) differs from the inventive entity named in the international application (which does not name Stephen Elledge as a co-inventor).

In response, applicants attach the following: (i) Statement by Stephen J. Elledge Pursuant to 37 C.F.R. § 1.497(d)(1), stating that any error in inventorship in the international

application occurred without deceptive intent (Exhibit B); (ii) Consent Of Assignee Cold Spring Harbor Laboratory To Correct Inventorship Pursuant To C.F.R. § 1.497(d)(3) (Exhibit C); and (iii) Consent Of Assignee The Research Foundation of State University of New York To Correct Inventorship Pursuant To C.F.R. § 1.497(d)(3) (Exhibit D). Applicants submit that submission of the attached places the application in compliance with 37 C.F.R. § 1.497(d)(1) and accordingly, request entry of the declaration and power of attorney.

Applicants believe no fee is due with this response. However, if any fees are due, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. CSHL-P01-011. .

Dated: May 15, 2007

Respectfully submitted,

By 

Spencer H. Schneider

Registration No.: 45,923

FISH & NEAVE IP GROUP, ROPES & GRAY LLP

1211 Avenue of the Americas

New York, New York 10036-8704

(212) 596-9000

(212) 596-9090 (Fax)

Attorneys/Agents For Applicant

# RUSH



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/524,690	FIRST NAMED APPLICANT Gregory J Hannon	ATTY. DOCKET NO. CSHL-P01-011
---	---	----------------------------------

INTERNATIONAL APPLICATION NO. PCT/US03/30901
---

I.A. FILING DATE 09/29/2003	PRIORITY DATE 09/27/2002
--------------------------------	-----------------------------

28120  
FISH & NEAVE IP GROUP  
ROPES & GRAY LLP  
ONE INTERNATIONAL PLACE  
BOSTON, MA 02110-2624

Ropes & Gray

APR 30 2007

Intellectual Property Dept.

CONFIRMATION NO. 1038

371 FORMALITIES LETTER



\*OC000000023541201\*

Date Mailed: 04/26/2007

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 02/15/2005
- Copy of the International Search Report filed on 02/15/2005
- Preliminary Amendments filed on 02/15/2005
- Information Disclosure Statements filed on 01/16/2007
- Biochemical Sequence Diskette filed on 09/01/2006
- Oath or Declaration filed on 11/21/2006
- Biochemical Sequence Listing filed on 09/01/2006
- Small Entity Statement filed on 02/15/2005
- U.S. Basic National Fees filed on 02/15/2005
- Priority Documents filed on 02/15/2005

File No.: CSHL-P01-011  
Action Desc: Resp. Notification Defective Resp.  
Due Date: 26 May 2007  
By: [Signature]

Applicant's response filed 01/16/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 02/23/2006 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,690	PCT/US03/30901	CSHL-P01-011

FORM PCT/DO/EO/916 (371 Formalities Notice)